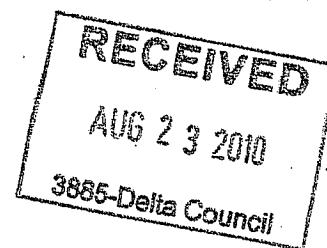




SACRAMENTO-SAN JOAQUIN  
**DELTA CONSERVANCY**



August 19, 2010

Honorable Phil Isenberg, Chair  
Delta Stewardship Council  
650 Capitol Mall, Fifth Floor  
Sacramento, CA 95814

Subject: Sacramento-San Joaquin Delta Conservancy Comments on the Final Draft Interim Delta Plan

Dear Chairman Isenberg and Council Members:

The Sacramento-San Joaquin Delta Conservancy (Delta Conservancy) commends the Delta Stewardship Council (Council) in accomplishing its task of developing its draft Interim Plan under incredible time constraints. The Delta Conservancy recognizes the hard work and dedication it took to develop the plan, and the opportunity to provide you with the following general and specific comments on the draft Interim Plan.

As mentioned in our August 16, 2010 letter, our intent is to offer comments on major issue areas in the Interim Plan that correspond with the legislative language of the Delta Conservancy's mandates. As reflected in these comments, the Delta Conservancy seeks to work with the Council in the development of both its interim Plan and forthcoming Delta Plan. Many of our comments may be used as support to those already made by other local and state entities, and to suggest potential opportunities for the Delta Conservancy to work with the Council in developing specific elements in the Delta Plan.

The Delta Conservancy looks forward to working as a partner with you and with the Delta Protection Commission (DPC) as we move forward in finalizing the Interim Plan and beginning work on the Delta Plan. As you are aware the Delta Conservancy is mandated by the Sacramento-San Joaquin Delta Conservancy Act (as part of SBX 7-1) to serve as a primary state agency to implement ecosystem restoration in the Delta. The Conservancy is also tasked with supporting efforts that advance the economic well being of Delta residents. Specifics about these co-equal responsibilities are listed in Public Resources Code 32322(b).

The legislative mandate for the Delta Conservancy to prepare a Strategic Plan that is consistent with the Delta Plan (See Public Resources Code 32376) was not mentioned in the Interim Plan. We believe the Delta Conservancy and the DSC need to coordinate and collaborate closely as we develop our respective plans, and implement them. We are concerned that if we do not coordinate and collaborate in these early stages, it may negatively impact the Conservancy's ability to meet its statutory mandates and have short-term impacts on economic sustainability for the delta region. This is our mutual opportunity to assist each other in achieving our respective, yet interrelated, objectives.

To facilitate coordination and collaboration, the Delta Conservancy recommends that the Council address the following concepts in developing its Delta Plan;

1. The Interim Plan rarely mentions the Delta Conservancy by name. The Delta Conservancy expects to be a direct partner with the DSC, DPC, and other agencies (both governmental and non-governmental) in Delta ecosystem restoration and economic sustainability projects and programs. For example, Public Resources Code 32360(b)(3) authorizes the Delta Conservancy to spend funds on developing an economic sustainability program based upon the DPC's economic sustainability plan. As the Delta Plan moves forward, the Conservancy is prepared and willing to be an active partner in establishing projects and programs.
2. Given the time frame to complete the Delta Plan, and the nexus to our Strategic Plan, the Delta Conservancy wants to be included in as many of the workgroups developing the plan as is feasible. In particular, the Delta Conservancy feels the need to be an active partner in developing the Finance Plan element of the Delta Plan.
3. Regarding the Finance Plan, the Delta Conservancy believes that there needs to be more specific language about funding the full scope of the Delta Conservancy's co-equal responsibilities, not just ecosystem restoration. Additionally, that multiple funding sources be identified beyond Proposition 1-E for support of the Conservancy's legislative mandates. For example, the DSC should support Proposition 84 funds as a funding source as indicated in the SBX7-1.
4. As the Council begins its review of early actions, the Delta Conservancy believes it can be an effective partner in their determinations. Given the diversity of the Delta Conservancy Board, the Council should consider using the Board as a "ready-made" advisory group. Using the Conservancy Board for advice on early actions could lessen any impact early actions may have on developing the Delta Conservancy's Strategic Plan.

The Delta Conservancy also recommends that in developing its Interim Plan and Delta Plan the Council facilitate coordination of those plans with the Delta Conservancy's Strategic Plan as follows;

- The Delta Conservancy's partnership with the Council and other agencies regarding using, refining, and carrying out the Delta Ecosystem Restoration Plan.
- The Delta Conservancy's partnership with the Council regarding review of ecosystem restoration documents.
- Effective integration of work plans for the Delta Plan, the DPC's Economic Sustainability Plan, and the Delta Conservancy's Strategic Plan.

Our specific comments regarding the draft final Interim Plan

- Page 8, Maps of Planned Delta Uses. The Delta Conservancy suggests that the Council strengthen its language regarding cooperation and coordination with local authorities and land use. The DPC's Resource Management Plan would serve well as a foundational document in this area and as part of your analytical tool box. The Delta Conservancy encourages the Council to build upon existing work and plans, such as the Central Valley Joint Venture Management

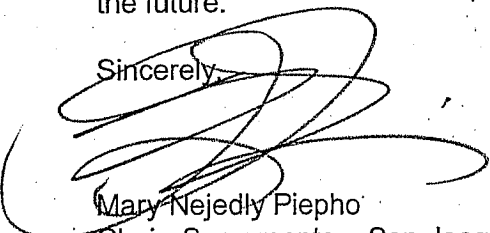
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Plan, Suisun Marsh Management Plan, and other local planning documents. These are a few examples, not an exhaustive list.

- The Delta Conservancy recommends that the Interim Plan elaborate on the balance necessary between aquatic and terrestrial species, and provide better definition of where mitigation efforts would take place. The Delta Conservancy would also like to see a discussion of what the potential direct benefits from those efforts could be to the Delta communities.
- The Delta Plan should address areas of interest not currently described in detail in the Interim Plan such as the importance of agricultural economic development, as well as recreation, to the local economy and communities as these areas of focus to both the Council and Delta Conservancy as defined in statute.
- The Delta Conservancy thanks the Council for improving the discussion about incorporating and defining best available science. The Delta Conservancy encourages the Council to continue to refine this section of the report and include consideration of necessary flows for the Delta's ecosystem.
- Regarding the approval and appeal process, the Delta Conservancy recommends, to the extent permitted by existing law, all projects should be subject to the same standards in the early actions review process. This approach would allow the Delta Conservancy to understand how these processes link with its developing Strategic Plan.
- There is some uncertainty about what would be considered in reviewing early actions. The Delta Conservancy suggests that the Council include information about potential effects of early actions to the Delta's ecosystem and economic sustainability.

Thank you again for the opportunity to comment on the Interim Plan, and by extension, the forthcoming Delta Plan. The Delta Conservancy looks forward to cooperating and collaborating with the Council in the future.

Sincerely,

  
Mary Nejedly Piepho  
Chair, Sacramento – San Joaquin Delta Conservancy

*Thank you  
for  
your  
consideration!*  
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cc: P. Joseph Grindstaff, Interim Executive Officer, Delta Stewardship Council  
Sacramento-San Joaquin Delta Conservancy Board Members  
Cindy Messer, Interim Executive Officer, Sacramento-San Joaquin Delta Conservancy  
Matt Campbell, Counsel, Sacramento-San Joaquin Delta Conservancy  
Don Nottoli, Chair, Delta Protection Commission